

APPEAL NO. 040727
FILED MAY 24, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on March 18, 2004. The hearing officer resolved the disputed issue by deciding that the compensable injury sustained on _____, does include right carpal tunnel syndrome (CTS). The appellant (self-insured) appealed, arguing that the evidence does not support the hearing officer's determination. The appeal file did not contain a response from the respondent (claimant).

DECISION

Affirmed.

The parties stipulated that the claimant sustained a compensable injury, in the form of right wrist tenosynovitis, on _____. The sole issue before the hearing officer was whether the _____, compensable injury included right CTS. The claimant testified about the amount of time she spent per day writing or inputting data. The disputed determination regarding extent of injury involved a fact question for the hearing officer. It was for the hearing officer, as trier of fact, to resolve the inconsistencies and conflicts in the evidence. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701, 702 (Tex. Civ. App.-Amarillo 1974, no writ). This is equally true regarding medical evidence. Texas Employers Insurance Association v. Campos, 666 S.W.2d 286, 290 (Tex. App.-Houston [14th Dist.] 1984, no writ). The trier of fact may believe all, part, or none of the testimony of any witness. Taylor v. Lewis, 553 S.W.2d 153, 161 (Tex. Civ. App.-Amarillo 1977, writ ref'd n.r.e.); Aetna Insurance Co. v. English, 204 S.W.2d 850 (Tex. Civ. App.-Fort Worth 1947, no writ). The hearing officer was persuaded that the medical evidence is sufficient to establish a causal relationship between the claimant's diagnosed right CTS and the _____, compensable injury and her work activities. Although there is conflicting evidence in this case, we conclude the hearing officer's extent-of-injury determination is supported by sufficient evidence and is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**WS
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Margaret L. Turner
Appeals Judge

CONCUR:

Daniel R. Barry
Appeals Judge

Robert W. Potts
Appeals Judge